

HOUSE BILL 2327

By Hawk

AN ACT to amend Tennessee Code Annotated, Title 37;
Title 39, Chapter 15, Part 4 and Title 40, relative to
child abuse.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-15-402(a), is amended by deleting the word "or" at the end of subdivision (3), by deleting the numbers and punctuation "39-17-435." at the end of subdivision (4), and by substituting instead the numbers and punctuation "39-17-435; or" at the end of subdivision (4), and is amended by adding the following language as a new subdivision:

(5)

(A) The act of abuse, neglect, or endangerment results from an infant testing positive at birth for a drug prohibited by 39-17-401 due to the mother's substance abuse during the pregnancy as determined by a medical professional.

(B) A violation of subdivision (a)(5)(A) is a Class D Felony.

SECTION 2. Tennessee Code Annotated, Section 39-15-402(b), is amended by deleting the language "A violation" at the beginning of the section, and by substituting instead the language "Except as provided by (a)(5)(A), a violation" at the beginning of the section.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.